

We are about to embark on the largest expansion of an entitlement in over 40 years, spending \$400 billion of taxpayer money. We owe it to our taxpayers to ensure that they are getting the best price, not the most expensive price.

And to the issue of safety, I would like to address two points. One, I spoke to Donna Shalala, the former Secretary of HHS, on Friday. She never said that you could not do this. She said you could ensure the safety if you put the resources behind the FDA. And a lot of folks wants to build a mythology around what she said.

Second, in 2001, we imported \$14.8 billion of medications. Lipitor is manufactured in Ireland, and it is on the shelves here in the United States. So to those who spout this myth about safety, we better take Lipitor off the shelves.

Let me also say one thing. When people say something is not about money, well, it is about money. I understand how this system works. There is a pharmaceutical lobbyist and a half for every Member of Congress. They have spent \$100 million in contributions, entertainment, and lobbying expenses all focused on this body. Meanwhile, our seniors are being overcharged by approximately \$100 billion.

The question before us tonight is, are we going to put more priority on the \$100 million focused on us or the \$100 billion our constituents are overcharged?

Now, I know we all came here for a set of values and a set of ideas. We ran on those values and those ideas. Whether we believe in competition, protecting taxpayers, or affordable prices for our seniors, let us ensure tonight that the people we represent have a voice, not the special interests.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. TIERNEY).

(Mr. TIERNEY asked and was given permission to revise and extend his remarks.)

Mr. TIERNEY. Mr. Speaker, I thank the gentlewoman from New York for yielding me this time.

Mr. Speaker, this issue of safety is nothing more than a red herring, and to the American people it is another example of big corporate interest and big government joining together against the interest of the American people.

Tonight we are going to learn who here in this body represents PhRMA and who here represent the interests of the American people. We will find out who here refuse to be swayed by the prescription drug companies who have tried everything, from 650 lobbyists to millions of dollars in campaign contributions, to false and misleading advertisements, to company letters threatening they will do no more research, and to threats to their employees that they have to write us letters because they are afraid they will lose their jobs.

Greed, fear, lies, and ignorance are their weapons and their tools. But tonight we are going to find out that those supporting this bill can defeat it with the truth, with the facts, with common sense, and with an abiding commitment to serving those people who sent them here to represent them and an abiding commitment to fulfill their responsibilities to this institution.

This is about hope. This is about renewal. This is about hope that the American people can finally overcome a large corporate interest and an overwhelming government that too often does not listen to them. And this is about the renewal of this institution, of people standing up for the integrity of this institution and for the American voice.

Mr. SESSIONS. Mr. Speaker, I yield 1 minute to the gentleman from Morristown, New Jersey (Mr. FRELINGHUYSEN).

(Mr. FRELINGHUYSEN asked and was given permission to revise and extend his remarks.)

Mr. FRELINGHUYSEN. Mr. Speaker, I rise to associate myself with the remarks of the dean of the House, the gentleman from Michigan (Mr. DINGELL), and rise in strong opposition to the Gutknecht bill, which would basically legalize the dangerous practice of reimportation of undocumented medicines from foreign countries into the United States. The American people, especially senior citizens, need to know that this provision could threaten their health and safety.

Earlier this month, the Committee on Energy and Commerce released a bipartisan report on the safety and efficacy of drugs imported into the United States. This report should be a must-read for all Members of this House as it raises serious questions about reimportation, and describes "a system overwhelmed with an avalanche of imported counterfeit unapproved drugs into the United States." Yet tonight, the House is giving serious consideration to a bill that would allow American pharmacists and wholesalers to import prescription drugs from Canada and other foreign countries and resell them for a lower price here in the United States with absolutely no regulation.

There is no doubt that Congress must and will act to help older Americans cover the cost of expensive prescription medicines, but this amendment is not the right prescription.

Mr. SESSIONS. Mr. Speaker, I would like to inquire and confirm that I have 4½ minutes remaining.

The SPEAKER pro tempore. That is correct.

Mr. SESSIONS. Mr. Speaker, I have one other speaker for about 4 minutes, and then I will consume the last 30 seconds. So I will let the gentlewoman decide if she would like to finish and then we will close.

MOTION TO ADJOURN.

Ms. SLAUGHTER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn offered by the gentlewoman from New York (Ms. SLAUGHTER).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Ms. SLAUGHTER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 41, nays 370, answered "present" 1, not voting 22, as follows:

[Roll No. 438]

YEAS—41

Berry	Filner	Pelosi
Brown, Corrine	Grijalva	Radanovich
Capuano	Hastings (FL)	Rangel
Carson (IN)	Jones (OH)	Sanchez, Loretta
Clay	Kanjorski	Sandlin
Clyburn	Larson (CT)	Schakowsky
Davis (TN)	McGovern	Taylor (MS)
DeFazio	McIntyre	Thompson (CA)
DeGette	McNulty	Thompson (MS)
Delahunt	Miller (NC)	Towns
DeLauro	Miller, George	Velazquez
Emanuel	Murtha	Waters
Evans	Olver	Woolsey
Farr	Pallone	

NAYS—370

Abercrombie	Calvert	Emerson
Ackerman	Camp	Engel
Aderholt	Cantor	English
Akin	Capito	Etheridge
Alexander	Capps	Everett
Allen	Cardin	Fattah
Andrews	Cardoza	Feeney
Baca	Carson (OK)	Ferguson
Bachus	Carter	Flake
Baker	Case	Fletcher
Baldwin	Castle	Foley
Ballance	Chabot	Forbes
Ballenger	Chocola	Ford
Barrett (SC)	Coble	Frank (MA)
Bartlett (MD)	Cole	Franks (AZ)
Barton (TX)	Collins	Frelinghuysen
Bass	Cooper	Frost
Beauprez	Costello	Gallegly
Becerra	Cox	Garrett (NJ)
Bell	Cramer	Gerlach
Bereuter	Crane	Gibbons
Berkley	Crenshaw	Gilchrest
Berman	Crowley	Gillmor
Biggett	Cubin	Gingrey
Bilirakis	Culberson	Gonzalez
Bishop (GA)	Cummings	Goode
Bishop (NY)	Cunningham	Goodlatte
Blackburn	Davis (AL)	Gordon
Blumenauer	Davis (CA)	Goss
Blunt	Davis (FL)	Granger
Boehlert	Davis (IL)	Graves
Boehner	Davis, Jo Ann	Green (TX)
Bonilla	Davis, Tom	Green (WI)
Bonner	Deal (GA)	Greenwood
Bono	DeLay	Gutierrez
Boozman	DeMint	Gutknecht
Boswell	Deutsch	Hall
Boucher	Diaz-Balart, L.	Harman
Boyd	Diaz-Balart, M.	Harris
Bradley (NH)	Dicks	Hart
Brady (PA)	Dingell	Hastings (WA)
Brady (TX)	Doggett	Hayes
Brown (OH)	Dooley (CA)	Hayworth
Brown (SC)	Doolittle	Hefley
Brown-Waite,	Doyle	Hensarling
Ginny	Dreier	Herger
Burgess	Duncan	Hill
Burns	Dunn	Hinchey
Burton (IN)	Edwards	Hobson
Buyer	Ehlers	Hoeffel

Hoekstra	McInnis	Sanchez, Linda
Holden	McKeon	T.
Holt	Meehan	Sanders
Honda	Meek (FL)	Saxton
Hooley (OR)	Meeks (NY)	Schiff
Hostettler	Menendez	Schrock
Hoyer	Mica	Scott (GA)
Hulshof	Michaud	Scott (VA)
Hunter	Millender-	Sensenbrenner
Hyde	McDonald	Serrano
Inslee	Miller (FL)	Sessions
Isakson	Miller (MI)	Shadegg
Israel	Miller, Gary	Shaw
Issa	Mollohan	Shays
Istook	Moore	Sherman
Jackson (IL)	Moran (KS)	Sherwood
Jackson-Lee	Moran (VA)	Shimkus
(TX)	Murphy	Shuster
Janklow	Musgrave	Simmons
Jefferson	Myrick	Simpson
Jenkins	Nadler	Skelton
Johnson (CT)	Napolitano	Slaughter
Johnson (IL)	Neal (MA)	Smith (MI)
Johnson, Sam	Nethercutt	Smith (NJ)
Jones (NC)	Neugebauer	Smith (TX)
Kaptur	Ney	Smith (WA)
Keller	Northup	Snyder
Kelly	Norwood	Solis
Kennedy (MN)	Nunes	Spratt
Kennedy (RI)	Oberstar	Stark
Kildee	Obey	Stearns
Kilpatrick	Ortiz	Stenholm
Kind	Osborne	Strickland
King (IA)	Ose	Stupak
King (NY)	Otter	Sweeney
Kirk	Owens	Tancred
Klecza	Oxley	Tanner
Kline	Pascarell	Tauscher
Knollenberg	Paul	Tauzin
Kolbe	Payne	Taylor (NC)
Kucinich	Pearce	Terry
LaHood	Pence	Thomas
Lampson	Peterson (MN)	Thornberry
Langevin	Peterson (PA)	Tiahrt
Lantos	Petri	Tiberi
Larsen (WA)	Pickering	Tierney
Latham	Pitts	Toomey
LaTourette	Platts	Turner (OH)
Leach	Pombo	Turner (TX)
Lee	Porter	Udall (CO)
Levin	Portman	Udall (NM)
Lewis (CA)	Pryce (OH)	Upton
Lewis (GA)	Putnam	Van Hollen
Lewis (KY)	Quinn	Visclosky
Linder	Rahall	Vitter
Lipinski	Ramstad	Walden (OR)
LoBiondo	Regula	Walsh
Lofgren	Rehberg	Wamp
Lucas (KY)	Renzi	Watson
Lucas (OK)	Reynolds	Watt
Lynch	Rodriguez	Weiner
Majette	Rogers (AL)	Weldon (FL)
Maloney	Rogers (KY)	Weldon (PA)
Manzullo	Rogers (MI)	Weller
Markey	Rohrabacher	Wexler
Marshall	Ros-Lehtinen	Whitfield
Matheson	Ross	Wicker
Matsui	Rothman	Wilson (NM)
McCarthy (MO)	Roybal-Allard	Wilson (SC)
McCarthy (NY)	Royce	Wolf
McCollum	Ruppersberger	Wu
McCotter	Rush	Wynn
McCrery	Ryan (OH)	Young (AK)
McDermott	Ryan (WI)	Young (FL)
McHugh	Sabo	

ANSWERED "PRESENT"—1

Reyes

NOT VOTING—22

Baird	Hinojosa	Pomeroy
Bishop (UT)	Houghton	Price (NC)
Burr	John	Ryan (KS)
Cannon	Johnson, E. B.	Souder
Conyers	Kingston	Sullivan
Eshoo	Lowey	Waxman
Fossella	Nussle	
Gephardt	Pastor	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. LAHOOD) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1931

Ms. LOFGREN, Mr. MEEHAN, and Mr. MORAN of Kansas changed their vote from "yea" to "nay."

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

PROVIDING FOR CONSIDERATION OF H.R. 2427, PHARMACEUTICAL MARKET ACCESS ACT OF 2003

The SPEAKER pro tempore (Mr. LAHOOD). The time remaining on the rule, the gentleman from Texas (Mr. SESSIONS) has 4½ minutes remaining, and the gentlewoman from New York (Ms. SLAUGHTER) has 1½ minutes remaining.

Ms. SLAUGHTER. Mr. Speaker, before I start I would like to clarify with the gentleman from Texas (Mr. SESSIONS), we had a conversation, and he has one more speaker for the remainder of the time; is that correct?

Mr. SESSIONS. Mr. Speaker, to answer the gentlewoman, I have 4½ minutes remaining. I will use 4 minutes for a speaker to close, and then I will end the debate.

Ms. SLAUGHTER. Mr. Speaker, I yield myself 20 seconds.

Mr. Speaker, I simply wanted to remind the House that this is probably one of the most important votes that they are going to take because their constituents are waiting to see where we fall. Are we with the pharmaceutical companies, or are we with them? The safety issue absolutely will hold no water anywhere, and they know it. And I think that there will be a lot to answer to if we do not support this tonight.

Mr. Speaker, I yield the remainder of my time to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. Mr. Speaker, I have been here for 21 years in this body. I know I look a lot younger, but I have been here 21 years. And I have never seen the kind of pressure exerted on Members of this body like I have seen on this bill.

They say it is about safety. It is not about safety; it is about money. They say it is about health, the health of the seniors who might be taken in by counterfeit drugs. It is not about that. It is about money, the money that the pharmaceutical companies are making on the backs of the American people.

Talk to a lady who has got a child who is suffering from some very serious disease and she finds out, to buy her pharmaceutical products here, it costs four or five times here than what it costs in Canada or Germany or France. What do we say to her? It is about money. What do we say to a woman who has breast cancer, who is going to die, who needs Tamoxifen to survive? Her life depends on it. How do we tell her it is going to cost six or seven times what it costs in Canada or Germany for the very same thing? Is her

life worth that much less? Tell me, is her life worth that much less?

And if the profits are so great here and they are not as great elsewhere, then why not spread it around? Why should all these profits be loaded on the backs of the American people?

When the Members vote, I want them to think about this. Think about this. And I approach this from a personal standpoint. There is a woman who is dying of breast cancer. This is one example. How do we tell her when she goes to buy Tamoxifen and she cannot afford it that she could go right across the border to Canada and get it for one-sixth or one-seventh what it costs here? How do we tell her that? We cannot.

We need to pass this bill to send a message to the pharmaceutical companies that the American people deserve the same rights and privileges as anybody else in this world, especially those who really need it because of their health.

Mr. SESSIONS. Mr. Speaker, I yield 4 minutes to the gentleman from Louisiana (Mr. MCCRERY).

Mr. MCCRERY. Mr. Speaker, one thing I agree with the last speaker about, and that is that Americans pay an unfair share of the research and development costs for pharmaceuticals in the world; but the proper way to address that is not by abandoning our free market principles and importing price controls, and that is what this bill would do.

I have heard it several times here this evening, there is no safety issue. That is a ruse. Do not believe PhRMA. Do not even believe FDA. But how about the Secretary of HHS for two different administrations, one Democratic and one Republican? A previous speaker said, well, I personally talked to Secretary Shalala not long ago and she assured me that that is not what she really said. What she really said is that if the FDA had the appropriate resources, then we could certify the safety of these drugs.

I would ask the gentleman who spoke with Donna Shalala, did he ask her does the FDA have the appropriate resources? The answer would be no. Does this bill give them the appropriate resources? The answer is no. When would they get the appropriate resources? We do not know. But you want to pass this bill tonight. If the FDA got the appropriate resources, how long would it take them to put those safety devices in place?

So you can say there is not a safety issue, but that is all it is, is words. The people who have researched this, the people in positions of responsibility in government, both Democratic and Republican, have said there is a safety issue. So think about that before voting for this bill.

There is a chart to my left here. This side of the chart shows a chart that was put up on this floor earlier by one of the proponents of the bill. The other side shows the rest of the story. Germany imposes price controls, called